

REMARKS

Initially, Applicants would like to thank the Examiner for indicating the allowability of the subject matter recited in claims 1-8, if amended to overcome each of the objections and rejections set forth in the Official Action. Applicants would also like to thank the Examiner for indicating the acceptance of the drawings filed with the present application on December 31, 2003. Applicants would further like to thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. §119, as well as receipt of certified copies of all of the priority documents upon which the claim for foreign priority is based.

Applicants would also like to thank the Examiner for acknowledging consideration of each of the documents cited in the Information Disclosure Statement filed on March 24, 2005. In this regard, Applicants note that the Examiner indicated on the PTO-1449 forms submitted with the above-noted Information Disclosure Statement that several of the documents were "not provided". Further, the Examiner crossed out those references on the PTO-1449 forms which were indicated as "not provided". Applicants note that these documents were not provided in the present application pursuant to 37 C.F.R. §1.98(d), i.e., because they were cited by either Applicants or the Examiner in earlier applications upon which the present application relies for an earlier filing date under 35 U.S.C. §120. Thus, the provision of copies is not required. Accordingly, Applicants presume the Examiner's initials on the above-noted PTO-1449 forms indicate that each of these documents was considered.

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However, if Applicants understanding is incorrect, Applicants respectfully request that the Examiner clarify the intended meaning of the notations on the PTO-1449 forms. Further, if the Examiner needs copies of any of the above-noted documents, the Examiner is invited to contact the undersigned.

Additionally, to clarify the record in the present application, Applicants have provided additional copies of the above-noted PTO-1449 Forms which list the above-noted references (i.e., the references which the Examiner indicated were “not provided”). With the next Official Action, Applicants respectfully request that the Examiner initial each of the references listed on the attached PTO-1449 form, and not cross out any such reference, so as to ensure that the record clearly reflects that these references were considered by the Examiner. Applicants respectfully request that the Examiner return the initialed PTO-1449 form with the next Official Action in the present application.

In the outstanding Official Action, the Abstract was objected-to for informalities relating to format. The Specification was objected-to for informalities relating to format and appearance (i.e., because the specification “is not written in clear ink and is not formatted”). Claims 1, 4, 7 and 8 were objected-to for informalities. Claims 2 and 5 were rejected under 35 U.S.C. §112, second paragraph, as indefinite. The Official Action indicated that claims 1-8 would be allowed if Applicants were to adopt the suggested changes as proposed by the Examiner in the Official Action.

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Applicants traverse the objection to the Abstract. With the present Response, Applicants are providing a new Abstract. The new Abstract is presented as a single paragraph, includes 138 words, and corresponds closely to the invention recited in, e.g., claim 1. However, Applicants note that the Abstract originally submitted with the application was also presented as a single paragraph, included fewer than 150 words, and corresponded closely to the invention recited in, e.g., claim 1 (as originally presented). Accordingly, Applicants submit that the original Abstract and the replacement Abstract both fully comply with the guidelines set forth in the MPEP. However, if the Examiner maintains the objection to the (replacement) Abstract, the Examiner is respectfully requested to specifically indicate the objection in the next Official Action.

Applicants traverse the objections to the specification. In this regard, Applicants have attached hereto a clean and a marked-up copy of a Substitute Specification. Applicants submit that the Substitute Specification fully complies with the guidelines set forth in the MPEP. However, if the Examiner maintains the objection to the Specification, the Examiner is respectfully requested to specifically indicate his objection in the next Official Action.

Applicants traverse the objections to and rejections of claims. In this regard, Applicants are not aware of any rule that supports the objection to claims 7 and 8 (i.e., that dependency needs to appear in the preamble of a claim). Accordingly, if the Examiner is aware of any such rule, Applicants respectfully request the Examiner to cite such a rule in the next Official

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Action to show where this objection to claims 7 and 8 is supported.

Nevertheless, upon entry of the present amendment, claims 1, 2, 4, 5, 7 and 8 will have been amended. In this regard, Applicants respectfully submit that each of the Examiner's objections to the claims have been addressed by the herein-contained amendments to claims 1, 2, 4, 5, 7 and 8. Nevertheless, Applicants particularly note that the amendments to claims 7 and 8 do not change the scope of the claims, and are not believed to be necessary in the absence of a requirement that dependency needs to appear in the preamble of a claim. Applicants further submit that each of the claims now pending fully complies with the requirements of 35 U.S.C. §112. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections-to and rejections of claims in the outstanding Official Action.

Further, in response to the statement of reasons for allowability in the *Ex parte Quayle* Action, Applicants wish to clarify the record with respect to the basis for the patentability of claims in the present application. In this regard, while Applicants do not disagree with the Examiner's indication that certain identified features are not disclosed by the references, Applicants submit that each of the claims in the present application recite a particular combination of features, and that the basis for patentability of each of these claims is based on the totality of the particular features recited therein.


SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended claims to more clearly recite the features of the claimed invention. Applicants have also submitted a Substitute Specification. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the claims now pending.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments, the Examiner is respectfully invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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